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July 11, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Neil Cashman
Marty Lehto

Application No.: 10/568,729

Filing Date: February 17, 2006

For: Epitope Protection Assay and Method For
Detecting Protein Conformations

(Attorney Docket No: P31,382 USA)

Group Art Unit: N.Y.A.

Examiner: N.Y.A.

Confirmation No: 7149

CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any other papers indicated as being enclosed, is being deposited with the United States Postal Services, as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 11, 2006.

Janet M. Karrmann
Janet M. Karrmann

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §1.97(b) (3)

Sir:

It is requested respectfully that the information identified on the enclosed Form PTO-1449 (Modified) be made of record and considered with respect to the above-referenced patent application. A copy of each item of information identified on the Form and required by 37 C.F.R. 1.98(a)(2) is enclosed. The Examiner is requested to indicate that each item on the

enclosed Form PTO-1449 (Modified) has been considered by initialing and dating the enclosed Form and returning a copy of same to the undersigned.

Identification of information on the attached Form, or in this statement, is not an admission that such information is prior art to the invention claimed in the present application or that such information is in an analogous art area.

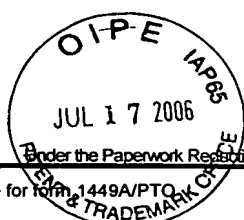
This Information Disclosure Statement is filed before a first Office Action on the merits. However, if the first Office Action happens to cross in the mail with the submission of the Information Disclosure Statement, the Patent Office is hereby authorized to charge the amount of \$180.00 pursuant to the fee required under 37 CFR 1.17(p) to Deposit Account Number 19-5425. A copy of this authorization is enclosed for charging purposes should it be necessary to charge the above account.

Respectfully submitted,



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application No.	10/568,729
International Filing Date	August 20, 2004
First Named Inventor	Neil Cashman
Art Unit	N.Y.A.
Examiner Name	N.Y.A.
Attorney Docket Number	P31,382 USA

Confirmation No. 7149

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-6,406,864	06/18/2002	The Regent of the Univ. of California	claims 1-8, 10-39
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	1	CA 2,452,946	06/19/2004	Ortho-clinical diagnostics, Inc.	claims 31-38	
	2	CA 2,408,762	04/19/2003	Aventis Behring GmbH	claims 1-8, 10-30, 39	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2

Complete if Known

Application No.	10/568,729
International Filing Date	August 20, 2004
First Named Inventor	Neil Cashman
Art Unit	N.Y.A.
Examiner Name	N.Y.A.
Attorney Docket Number	P31,382 USA
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	BOLTON et al. (July 1991), Molecular location of a species-specific epitope on the hamster scrapie agent protein, <i>J of Virology</i> , 65(7):3667-3675.	
	2	SAFAR et al. (November 2002), Measuring prions causing bovine spongiform encephalopathy or chronic wasting disease by immunoassays and transgenic mice, <i>Nat. Biotechnol.</i> , 20(11):1147-1150.	
	3	PARAMITHIOTIS et al. (July 2003), A prion protein epitope selective for the pathologically misfolded conformation, <i>Nat. Med.</i> , 9(7):893-899.	
	4	SOTO C. (October 2004), Diagnosing prion diseases: needs, challenges and hopes, <i>Nature Rev Microbiol.</i> , 2(10):809-819.	

Examiner
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Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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